

DETAILED ACTION

Status of the Claims

1. This action is in response to an amendment filed on 3/21/08. Claims 1-72 are pending. The application was filed 2/15/02 and a provisional was filed 2/17/01.

Response to Arguments

2. Applicant's arguments filed 3/21/08 have been fully considered but they are not persuasive.

Applicant argues that Hosea is disqualified as prior art due to a copyright date of 1/17/2001 in the provisional. The examiner finds that the proper form for such an argument is an affidavit under 37 CFR 1.131. The applicant submitted Exhibit 1 on 3/21/08 under 37 CFR 1.131; it has been considered but is ineffective to overcome the Hosea reference. Exhibit 1 is not sworn or even signed by the inventors. It does not specify any relationship to the claims. The affidavit should be a sworn statement by the inventors relating the claims to a particular date (or prior to a particular date). It should include written description support for every feature of the claim and for the entire scope of the claim. It should be based on objective facts, not just conclusions. See MPEP 715 to 715.10. The examiner further notes that while Hosea's filing date, 2/5/01 is after the exhibit's copyright date of 1/17/01, Hosea also displays in its figure 6 a screenshot from Nov 22, 2000, which predates the exhibit.

The applicant argues that Liu does not disclose intercepting a message where the message is addressed to the second participant and not to said device. The

applicant argues that the fishing advice in Liu is addressed to the device. The examiner respectfully finds that the fishing advice is addressed to an audience of potential and actual fishermen, and not devices. This interpretation of addressing is within the broadest reasonable interpretation. On a physical system, physical addresses are used to address messages to physical destinations such as mailboxes. By claiming a message addressed to a person, the applicant has broadened the picture beyond the physical limits of a networked system, where broader interpretations of "addressing" are reasonable. The examiner finds that "to address" can mean "to direct a speech or written statement to" as in "He addressed the audience." In this sense, the fishing advice is addressed to the participant and not the device.

The applicant argues that "determining whether the message has billing implications" is not disclosed by the references. The Office Action cites Oliver, who discloses checking a message for a token. The applicant argues that Oliver's messages are not intercepted. The examiner does not rely on Oliver to teach interception, so there is no requirement that Oliver address interception, merely that Oliver is at least analogous art. Oliver addresses online billing, which makes it at least analogous art.

Oliver teaches determining billing implications from the log that comes from the messages, as follows. Oliver teaches that some messages have billing implications and some do not in paragraphs 114 and 128 on page 6. After a message is sent and logged, its billing implications are determined by the billing record generator in paragraph 143 page 7. The claim does not recite when the determination is made nor from what context, merely "determining whether the message has billing implications."

The applicant argues that the references do not disclose that maintaining a log occurs if the message has billing implications. The examiner finds that Oliver's system preferred embodiment is to maintain a log of all sessions, then the billing record generator generates a second log of billing records (paragraph 143 page 7). The second log entries are implicitly generated only when a message has billing implications. Thus the second log, the log of billing records, teaches maintaining a log occurs if the message has billing implications.

The applicant argues that extracting a URL (Hosea [37]) is not the same as identifying a service being provided (claim 2). Hosea also teaches in paragraph 44 page 5 a URL database that identifies services provided (content served). A person of ordinary skill in the art would know how to use the database to identify services from the URLs extracted from the messages. Thus Hosea teaches identifying which services are being provided to which clients based on the content of messages.

The applicant argues that Oliver does not disclose determining a service class based on an identity of a participant and determining where to direct said message based on said service class. (claim 13). Hosea teaches in the abstract determining content based on an identity of a participant. Oliver teaches service classes in paragraph 100. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea to add determining service class based on the identity of a participant in order to offer extra features to reward frequent customers.

Hosea has a database of services (content) and associated URLs. A URL is a form of identifier that identifies a resource, or service. The examiner notes that a person

of ordinary skill in the art at the time of the invention would understand that a URL contains information that supplies details about how the specified resource can be accessed (See RFC 1738, Uniform Resource Locators, T. Berners-Lee, Dec 1994). A person of ordinary skill in the art would understand that a common way to route messages to different services would be to use different URLs, thus determining where to direct a message (URL) based on the service(content) desired would have been obvious. . It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea to add determining where to direct a message based on the service class in order to offer extra features to reward frequent customers.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7, 11-24, 26-28, 31-33, 38-42, 46-59, 61-63, and 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application 20020138331, filed on 5 Feb 2001 by Hosea et al in view of US Patent Application 20020027901 filed 4 Sep 2001 (provisional 5 Sep 2000) by Liu et al. in view of US Patent Application No. 20020133412 filed 6 March 1998 by Oliver et al.

As to claim 1 and 38, Hosea on page 4 paragraphs 36 –39, teaches a method for communicating electronic information comprising the computer implemented steps of :

- Intercepting a message that has been sent from a first participant to a second participant prior to said message arriving at said second participant,
 - Wherein intercepting the message is performed by a device coupled between a plurality of clients and a plurality of servers, (a sniffer)
 - wherein said message includes identifier information, (the information that allows correlation to a user profile)
 - wherein said device has access to the message and can interpret the identifier information contained in the message
 - Wherein said first participant is one of a service requestor and a service provider (the first participant has requested delivery of an HTML page)
- And on said device, determining the identity of the first participant based on said identifier information in said message. (extracting information used to correlate the request to a user profile)

Hosea does not specifically teach wherein the message is addressed to said second participant and not to said device. Liu teaches wherein the message is addressed to said second participant and not to said device in paragraph 40, wherein Liu provides the example of fishing advice addressed to Participant C. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea to add wherein the message is addressed to said second participant and not to the device in order to handle messages to people.

Hosea does not specifically teach using said identity to maintain a log of the interaction between said first participant by said second participant and wherein said log is based at least in part on reply messages that pass through said device. Liu teaches in paragraph 97 pages 9 and 10 generating communication records including the identities of the communicating parties. Thus Liu teaches using the identity to maintain a log of the interaction. Liu teaches communications between a first and second participant in paragraph 40 page 4. While the example here lists both voice and email, in paragraph 41 Liu teaches email and chat communications that would be more distinctly messages. It is implicit in the example that messages are addressed to the participants. Thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to use the identities to maintain a log of the interaction between said first participant by said second participant wherein said interaction involves one or more messages sent by the first participant that are addressed to the second participant, and one or more messages sent by the second participant that are addressed to the first participant. Liu teaches in the example (continued on page 5) that some of the messages are replies (responding).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea to include using said identity to maintain a log of the interaction between said first participant by said second participant and wherein said log is based at least in part on reply messages that pass through said device in order to have documentation of the device activity and a record of what it intercepted.

As to claim 2, Hosea teaches identifying which services are being provided to said clients by said servers based on the content of messages that pass through said device on page 4 paragraph 37. Extracting the URL from the message reveals which services are requested. The Hosea Liu combination does not teach billing said clients for said services based on which services are being provided to said clients by said servers. Oliver teaches billing said clients for said services based on which services (pages) are being provided to said clients by said servers on page 5 paragraph 107. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add billing said clients for said services based on which services are being provided to said clients by said servers because services may have varying prices, and clients should only be charged for services provided.

As to claim 3, the Hosea Liu combination does not teach the device controlled by a first party, and the services provided by a set of second parties, and the first party performs the step of billing on behalf of the set of second parties. Oliver teaches the device controlled by a first party, and the services provided by a set of second parties, and the first party performs the step of billing on behalf of the set of second parties on page 1, paragraph 17. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add the device controlled by a first party, and the services provided by a set of second parties, and the first party performs the step of billing on behalf of the set of second parties because that

way the device owner can sell billing services, and provide consolidated billing services for multiple second parties.

As to claims 1, 4, 38 and 39, Hosea does not specifically teach determining whether the message has billing implications, then generating the log, and using said log to charge a particular participant for a service indicated in the message, wherein said particular participant is one of said first participant and said second participant. Liu teaches using a log to charge for a service on page 5, paragraph 44. Oliver teaches determining whether the message has billing implications in paragraph 14 page 6 by checking the message for a token. Oliver teaches generating the log, and using said log to charge a particular participant for a service indicated in the message, wherein said particular participant is one of said first participant and said second participant in paragraphs 276 and 287, page 11, and 300 on page 12. It would have been obvious to a person of ordinary skill in the art to modify the Hosea-Liu combination to add determining whether the message has billing implications, then generating the log, and using said log to charge a particular participant for a service indicated in the message, wherein said particular participant is one of said first participant and said second participant because a log provides a recognized stable form of documentation to support billing.

The applicant pointed out that Oliver's logs are compilations of logs kept by providers. The examiner finds that the information in the logs is still based on information from the reply messages, before and after compilation. The log format (page 11 paragraph 277-page 12 paragraph 293) shows that the level of detail preserved in

the log, including the message request URL, is based on the reply message and not generated independently by the providers.

As to claims 5 and 40, the Hosea Liu combination does not specifically teach a log including a service requestor identification. Oliver teaches a log including a service requestor identification on page 11, paragraph 286. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea to add a log including a service requestor identification because it would be difficult to bill for a service without a record of the service requestor.

As to claims 6 and 41, the Hosea Liu combination does not specifically teach a log including information to indicate how much the participant is willing to pay for the service. Oliver teaches a log including information to indicate how much the participant is willing to pay for the service on page 11 paragraph 287. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea to add a log including information to indicate how much the participant is willing to pay for the service because it allows error checking to make sure the price charged is within range.

As to claims 7 and 42, the Hosea Liu combination does not specifically teach sending logs to an aggregation engine. Oliver teaches sending logs to an aggregation engine in paragraph 298, page 12. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea to add sending logs to an aggregation engine because it allows consolidated billing rather than a separate bill for each line item in the log.

As to claims 11 and 46, the Hosea Liu combination does not specifically teach a message with a price at which the service provider is willing to provide a service. Oliver teaches a message with a price at which the service provider is willing to provide a service in paragraph 302 page 12. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea Liu to add a message with a price at which the service provider is willing to provide a service because the vendor, the biller and the purchaser all need the price data, and each of them would have access to the data in the message.

As to claims 12 and 47, Hosea teaches proving content in the abstract.

As to claims 13, 14, 48, and 49 the Hosea Liu combination does not specifically teach a service class. Oliver teaches a service class on page 5 paragraph 100. The service class determines where to direct said message and what service is provided. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea Liu to add a service class because certain classes of people, such as minors, need special treatment in non-cash transactions.

As to claims 15 and 50, the Hosea Liu combination does not specifically teach updating a service requestor profile based on the service that is requested. In paragraph 333 page 14 Oliver teaches updating the service requestor profile (specifically credit(x) which is in the profile) based on the service requested (specifically on its price.) It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add updating a service

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requestor profile based on the service that is requested because a record of services requested can help determine preferences which can be helpful in future transactions.

As to claims 16, 24, 51 and 59, the Hosea Liu combination does not specifically teach decrementing (settling accounts) when the service requestor accesses the service and the service requires a fee. Oliver teaches decrementing (settling accounts) when the service requestor accesses the service and the service requires a fee on paragraph 9 page 1 and paragraph 298 page 12. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add decrementing (settling accounts) when the service requestor accesses the service and the service requires a fee because if the accounts were not decremented, then no payment would be received for the services.

As to claims 17, and 52, Hosea teaches identifying which services are provided to clients by servers based on the message on page 4, paragraph 37.

As to claims 18 and 53, the Hosea Liu combination does not specifically teach locating a profile based on the first participant. Oliver teaches locating a profile based on the first participant in paragraph 350, page 15. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add locating a profile based on the first participant because locating the profile allows access to all that is known about the participant, to help make credit and other decisions.

As to claims 19, 23, 54, and 58, Hosea does not teach storing billing data associated with the service requestor in the profile. Liu in claim 11 teaches storing

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billing data (address) associated with the service requestor in the profile. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Hosea to add storing billing data associated with the service requestor in the profile because then it can be used for several transactions.

As to claims 20 and 55, the Hosea Liu combination does not specifically teach determining a price that a service requestor will pay for a service from the profile. Oliver teaches pricing data in the profile in paragraph 256 and 257 page 10. This is used to determine a price that the service requestor will pay for a service. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add determining a price that a service requestor will pay for a service from the profile because any pricing data particular to that requestor would be in the profile.

As to claims 21 and 56, the Hosea Liu combination does not specifically teach billing the service requestor if the profile indicates that the service requestor is to be billed. Oliver teaches that a home service provider bills the service requestor and other service providers bill the home service provider (abstract). Whether a particular service requestor should be billed by a service provider depends upon the profile field in paragraph 250, page 10. Thus Oliver teaches billing the service requestor if the profile indicates that the service requestor is to be billed. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add billing the service requestor if the profile indicates that the service

requestor is to be billed because that allows the service provider to collect payment if payment is due.

As to claims 22 and 57, Hosea teaches in paragraph 39 on page 4 extracting a participant ID from a message and using it to locate a profile.

As to claims 26 and 61, Hosea teaches in paragraph 42 page 4 generating a profile by tracking surfing activity. Hosea does not teach billing. Oliver teaches billing based on services, such as those tracked in such a profile. It would have been obvious to a person of ordinary skill in the art at the time of the invention to store a number in the profile representing the number of times the service requestor has requested a service and increment it and store it back into the profile, and then determine whether to bill the service requestor for the service based on the number. This is a simple way to track the number of services requested, which helps the service provider determine volume.

As to claims 27 and 62, the Hosea Liu combination does not specifically teach determining whether the service requestor is allowed access based on the profile. Oliver teaches determining whether the service requestor is allowed access based on the profile in paragraph 254, page 10. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add determining whether the service requestor is allowed access based on the profile because certain service requestors such as minors must be denied access to certain services.

As to claims 28 and 63, Hosea does not specifically teach that if the service requestor is not allowed access to the service, then sending the service requestor a

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second message indicating that the service requestor is not allowed access to the service. Liu teaches on page 12 paragraph 124, that if the service requestor is not allowed access to the service, then sending the service requestor a second message indicating that the service requestor is not allowed access to the service. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add that if the service requestor is not allowed access to the service, then sending the service requestor a second message indicating that the service requestor is not allowed access to the service because sending a message to explain is cheaper than answering a customer service phone call.

As to claims 31, 33, 66 and 68, the Hosea Liu combination does not specifically teach determining whether the service requestor has funds to pay for a service based on an authorization source, which is in the profile. Oliver in paragraphs 329-333, page 14 teaches determining whether the service requestor has funds to pay for a service based on an authorization source, which is in the profile. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add determining whether the service requestor has funds to pay for a service based on an authorization source, which is in the profile because it helps to avoid non-payment of services.

As to claims 32 and 67, Hosea teaches retransmitting the message to the service provider to obtain the service for the service requestor in Fig 9 and page 5 paragraph 45, where the HTML request for the content that originated from the user and was intercepted is then retransmitted to the content provider to obtain the service/content.

The Hosea Liu combination does not specifically teach causing funds to be decremented from a requestor account associated with the service requestor. Oliver in paragraph 330 teaches an account linked to a debit card. This would allow the funds to be decremented from a requestor account associated with the service requestor. It would have been obvious to a person of ordinary skill at the time of the invention to modify the Hosea Liu combination to add causing funds to be decremented from a requestor account associated with the service requestor in order to allow real-time payment for services.

5. Claims 8, 10, 43 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea in view of Liu, and Oliver and further in view of US Patent No. 5339239 filed 11 Oct 1990 by Manabe et al.

As to claims 8 and 43, The Hosea Liu combination does not specifically teach determining whether the particular participant has sufficient funds to pay for the service; and determining how to handle said message based on whether said particular participant has sufficient funds to pay for the service. Oliver on page 14 paragraphs 329-332 teaches a credit(x) value that establishes funds available to the participant, compares credit(x) to the charge amount to determine sufficient funds and determines what to do next. Thus Oliver teaches determining whether the particular participant has sufficient funds to pay for the service; and determining how to handle said message based on whether said particular participant has sufficient funds to pay for the service. It would have been obvious to a person of ordinary skill in the art at the time of the

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invention to modify the Hosea Liu combination to add determining whether the particular participant has sufficient funds to pay for the service; and determining how to handle said message based on whether said particular participant has sufficient funds to pay for the service in order to avoid providing services without payment.

The Hosea Liu combination does not specifically teach determining that the particular participant must pre-pay for the service. Manabe teaches in col 5 lines 33-42 determining that the particular participant must pre-pay for the service. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu Oliver combination to add determining that the particular participant must pre-pay for the service, because it would enable to sales to people without established credit to purchase the services.

As to claims 10 and 45, Manabe teaches determining that the service requestor must pre-pay for the service in col 5 lines 33-42 as above. The Hosea Liu Manabe combination does not specifically teach inspecting a requestor profile associated with the service requestor. Oliver teaches inspecting a requestor profile associated with the service requestor on page 14 paragraphs 329-332. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu Manabe combination to add inspecting a requestor profile associated with the service requestor in order to avoid extending credit to known deadbeats.

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6. Claims 9 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea in view of Liu, and Oliver and Manabe, and US Patent No 6167385, filed 30 Nov 1998 by Hartley –Urquhart, hereafter called Hartley.

As to claims 9 and 44, Oliver on page 14 paragraphs 329-332 teaches inspecting a profile for prepayment guidance as above. Manabe in col 5 lines 33-42 teaches determining that a service requestor must pre-pay for the service as above. The Hosea Liu Oliver Manabe combination does not specifically teach a provider profile that with prepayment guidance. Hartley in col 3 lines 49-64 teaches a provider profile with prepayment guidance. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu Oliver Manabe combination to add a provider profile with prepayment guidance, because by storing such information in a provider file, it would only need to be updated in a single easily-found place when the policy changes.

7. Claims 25 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea in view of Liu and Oliver and further in view of US Patent No. 5502636 filed Jan 31, 1992 by Clarke.

As to claims 25 and 60, The Hosea Liu Oliver combination does not specifically teach updating the profile to award the service requestor a prize for having requested said service. Clarke in claims 6, 18 and 19 teaches updating the profile to award the service requestor a prize (coupon) for having requested said service (subscription). It would have been obvious to a person of ordinary skill in the art at the time of the

invention to modify the Hosea Liu Oliver combination to add updating the profile to award the service requestor a prize for having requested said service because it helps to motivate repeat business.

8. Claims 29, 30, 64 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea in view of Liu and further in view of US Patent No. 6704612 filed 12 May 1999 by Hahn-Carlson, hereafter known as Hahn.

As to claims 29, 30, 64, and 65, Hosea teaches retransmitting the message to the service provider to obtain the service for the service requestor in Fig 9 and page 5 paragraph 45, where the HTML request for the content that originated from the user and was intercepted is then retransmitted to the content provider to obtain the service/content. The Hosea Liu combination does not specifically teach inspecting a profile to determine whether the service requestor requires pre-authorization for the service, and sending the service requestor a payment authorization message. Hahn teaches inspecting a profile to determine whether the service requestor requires pre-authorization for the service in claims 1, 11 and 16. Hahn teaches in col 11 line 45 to col 12 line 5 sending a payment authorization request and receiving a payment authorization. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu combination to add inspecting a profile to determine whether the service requestor requires pre-authorization for the service,

sending the service requestor a payment authorization message, and receiving a payment authorization in order to document a purchaser's agreement to pay and avoid denial of payment later.

9. Claims 34, 35, 69 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea in view of Liu, and Oliver and US Patent No. 5960416 filed 9 Dec 1997 by Block.

As to claims 34 and 69, The Hosea Liu Oliver combination does not specifically teach an authorization source as a billing system. Block teaches an authorization source as a billing system in col 3 lines 13-16. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Hosea Liu Oliver combination to add an authorization source as a billing system because customer financial information is kept in billing systems.

As to claim 35 and 70, The Hosea Liu Oliver Block combination as defined so far teaches authorization from a billing system, but does not specifically teach an authorization from an access provider. Oliver, Figure 2, teaches a CSP, or Clickshare Service Provider, that can be an ISP, or Internet Service Provider, which would be an access provider. Oliver teaches on page 14 paragraph 330 that the CSP provides credit(x) which is an authorization to spend up to the limit specified. Thus Oliver teaches an authorization source as an access provider. It would have been obvious to a person of ordinary skill in the art at the time of the invention to further modify the Hosea Liu Oliver Block combination to add an authorization source as an access provider because

an access provider such as an ISP already has a financial relationship with the service requestor.

10. Claims 36 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea in view of Liu, and US Patent Application No. 20010029482 filed 9 Mar 2001 (provisional 5 June 2000) by Tealdi et al.

As to claims 36 and 71, Hosea teaches retransmitting the message to the service provider to obtain the service for the service requestor in Fig 9 and page 5 paragraph 45. The Hosea Liu combination does not specifically teach determining whether the service provider is an authorized partner. Tealdi teaches determining whether a service provider is an authorized partner (registered service provider) in page 12 paragraph 161. It would have been obvious to a person of ordinary skill in the art at the time of the invention to further modify the Hosea Liu Oliver combination to add the service provider is an authorized partner because if they are not authorized partners they may disapprove of the message interception.

11. Claims 37 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosea in view of Liu, and Tealdi further in view of Oliver.

As to claims 37 and 72, the Hosea Liu Tealdi combination does not specifically teach a secure connection and authentication. Oliver teaches a secure connection and authentication in paragraph 365, page 16. It would have been obvious to a person of

ordinary skill in the art at the time of the invention to modify the Hosea Liu Tealdi combination to add a secure connection and authentication in order to avoid fraud.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. While portions of interest have been indicated, all references should be considered for the entirety of their teachings.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ann Loftus whose telephone number is 571-272-7342. The examiner can normally be reached on M-F 8-4.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AL

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